

United States District Court

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for the

Jun 25, 2021

Eastern District of Washington

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Brennon Lee De Lange Case Number: 0980 2:19CR00095-TOR-1

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable Thomas O. Rice, U.S. District Judge

Date of Original Sentence: October 15, 2020

Original Offense: Attempted Distribution of 500 Grams or More of Methamphetamine, 21 U.S.C. §§ 841(a)(1), (b)(1)(A)(viii), 846

Original Sentence: Prison - 5 days; Type of Supervision: Supervised Release
TSR - 60 months

Asst. U.S. Attorney: Caitlin A. Baunsgard Date Supervision Commenced: October 15, 2020

Defense Attorney: Amy Rubin Date Supervision Expires: October 14, 2025

PETITIONING THE COURT

To issue a summons.

The probation officer believes that the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1	<u>Mandatory Condition # 1:</u> You must not commit another federal, state or local crime.
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Supporting Evidence: Brennon De Lange is considered to be in violation of his period of supervised release by committing the offense of driving under the influence on or prior to June 9, 2021.

On October 19, 2020, Mr. De Lange signed his Judgement in a Criminal Case stating he understood he could not commit another criminal act.

On June 9, 2021, troopers with the Washington State Patrol were dispatched to a possible driver under the influence traveling on State Route (SR) 395 in Kennewick, Washington. Officers with the Kennewick Police Department made the initial contact with the vehicle and located Mr. De Lange passed out in the driver's seat. The vehicle was facing south bound in the north bound lane of SR 395. Officers put the vehicle in park to keep Mr. De Lange from trying to drive off. Officers noted Mr. De Lange's eyes were bloodshot and was "obviously impaired." They were also advised by a witness that Mr. De Lange was "driving all over the road," and stated Mr. De Lange had hit a curb while driving down SR 395.

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When troopers arrived they were provided with all of the initial information. The Washington State Patrol Report of Investigation noted marks were observed on the tire of Mr. De Lange's vehicle which supported the information stating he had hit a curb while driving. Troopers then contacted Mr. De Lange and noted, "I immediately smelled the odor of intoxicants coming from his person while he was breathing. He was very pale and his body movements were slow." It was further stated, "I immediately noticed his speech was heavily slurred." Eventually troopers placed Mr. De Lange under arrest and took him to a local hospital to conduct a blood draw after receiving a warrant to do so. According to the report, Mr. De Lange initially refused to have blood drawn, but eventually allowed it to be completed.

Mr. De Lange is charged in Benton County District Court under case number 1A0516709-WSP, with one count of driving while under the influence. He will next appear in court on June 30, 2021.

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Special Condition # 5: You must not enter into or remain in any establishment where alcohol is the primary item of sale. You must abstain from alcohol and must submit to urinalysis and Breathalyzer testing as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from this substance.

Supporting Evidence: Brennon De Lange is considered to be in violation of his period of supervised release by consuming alcohol on or prior to June 9, 2021.

On October 19, 2020, Mr. De Lange signed his Judgement in a Criminal Case stating he understood he could not consume alcohol.

As noted within violation number 1, Mr. De Lange was contacted by the Kennewick Police Department and Washington State Patrol on June 9, 2021, regarding a possible person driving under the influence. According to the Washington State Patrol Report of Investigation, Mr. De Lange showed signs of alcohol intoxication. A blood draw was completed and the results are pending.

The U.S. Probation Office respectfully recommends the Court issue a summons requiring the defendant to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 6/25/2021

s/David L. McCary

David L. McCary
U.S. Probation Officer

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THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☒ The Issuance of a Summons
- ☐ Other



Thomas O. Rice
United States District Judge

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Date